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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,119	12/30/2003	John Timothy Allen	WEAT/0142D2	1731

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EXAMINER

THOMPSON, KENNETH L

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/748,119

Applicant(s)

ALLEN ET AL.

Examiner

Kenn Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 7-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-6 and 10-24 is/are rejected.
- 7) ☒ Claim(s) 1 and 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 19Aug04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Species I in the reply filed on 27 September 2004 is acknowledged.

### ***Claim Objections***

Claims 1 and 2 are objected to because of the following informalities:

The recitation "each axle" in claim 1, lines 6 and 9 lacks antecedent basis. Claim 2 depends from claim 1 and is likewise objected to.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhodes, U.S. 644,638.

Regarding claim 3, Rhodes discloses a kelly bushing. Rhodes discloses a body (D) with tubular channel (d3) therethrough from top to bottom, and a plurality of rollers (d9) connected to the body and spaced apart around the bottom of the body, each roller with a portion projecting

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into the tubular channel for contacting flats (p. 3, lines 51-55) of a kelly (A) projecting through the body.

As to claim 4, Rhodes discloses the kelly bushing is positionable on a rig floor (C) with the rollers (d9) beneath the rig floor.

Claims 5, 6, 16 and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Tullos et al., U.S. 4,313,318.

Regarding claim 5, Tullos et al. discloses in figures 1 and 5 a kelly bushing having a body (62) having an opening (63) therethrough for the passage of tubulars through the kelly bushing. Tullos discloses roller apparatus (22,24) connected to the body for facilitating tubular movement through the body. Tullos discloses the opening sufficiently large so that a kelly (10), tool joints (12) and drill pipe (6) are movable therethrough, the kelly having a hex part and a tool joint part.

Regarding claim 6, Tullos et al. a body (62) with a tubular channel (63), a plurality of rollers (24,22) projecting into the channel and two selectively separable halves (opposite slots 66,64) releasably joined together (col. 6, lines 39-50).

Regarding claim 16, Tullos et al. discloses a kelly (10) coupled to the downhole tool (2) and a kelly bushing (16) having a body (62) a channel (63) and a plurality of rollers (22,24) coupled to the body engaging the kelly.

As to claims 21-24, Tullos et al. discloses a wellbore tubular 4,6) being a drill pipe, and the kelly (10) having a larger diameter than the a diameter of the downhole tool (tool 2 appears to have at least one diameter smaller than 10).

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Claims 10-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Derrick, U.S. 2,312,323.

Regarding claim 10, Derrick discloses in figure 7-10 a torque transmission member (47) coupled to the downhole tool (2) and a bushing (41). Derrick discloses a body (44), a channel (43) extending through the body for receiving the torque transmission member (47). Derrick discloses a plurality of rollers (12) coupled to the body adapted to engage the torque transmission member.

Regarding claim 11, Derrick discloses a body (41), a channel (6) extending through the body for receiving the kelly (2) and rollers (47) coupled to the body adapted to engage the kelly.

As to claims 12, 19 and 20, Derrick discloses the rollers (7) having a profile (cylinder between flanges 8) for engaging a complementary profile (flats) of the kelly (2).

As to claim 13, Derrick discloses the profile is adapted to transmit torque to the kelly (page 1, right column, lines 39-46).

As to claim 14 and 17, Derrick discloses the kelly bushing is connected to a rotary table (1) for rotating the kelly bushing.

As to claim 15, Derrick discloses in figure 7 the rollers (47) are radially movable (at 43) to engage the kelly (2).

Regarding claim 16, Derrick discloses a kelly (2) coupled to a downhole tool (bit or cutter on drill stem). Derrick discloses a kelly bushing (41), a body (44), a channel (43) extending through the body for receiving the kelly (2) and a plurality of rollers (47) coupled to the body engaging the kelly.

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As to claim 18, Derrick discloses torque generated by the rotary table (1) is transmitted to the kelly (2) through the kelly bushing.

### ***Allowable Subject Matter***

Claims 1 and 2 would be allowable if rewritten or amended to overcome the objection set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest all the claimed subject matter including the roller axle positioned in the roller support axle slots and base axle slots.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gattrell, U.S. 1,787,476 discloses a similar adjustment means.

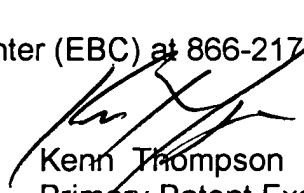
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J Bagnell can be reached on 703 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9 December 2004



Kern Thompson  
Primary Patent Examiner  
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